Amendments to the Claims

The listing of claims below is intended to replace all prior listings of the claims in the present application.

1. (presently amended) A monoclonal ~~An~~ antibody, preparation comprising antibodies or fragments thereof capable of selectively binding to a three dimensional conformation provided by the C-terminal part of the PrP^{SC} isoform of the prion protein or a portion thereof, while not binding to the PrP^{C} isoform when both isoforms are present in a sample in a native, non-denatured state.

2. (presently amended) The antibody preparation according to claim 1, wherein the C-terminal part comprises a region of the prion protein ranging from about amino acid no. 190 to amino acid no. 214 of the prion protein, or variants thereof, obtained by substituting or omitting or adding one or more amino acids without changing the three dimensional configuration thereof.

3. (presently amended) The antibody preparation according to claim 1, wherein the protein sequence recognized by the antibody is (SEQ ID No: ~~SEQ. ID. No.~~ 1) -Cys-Ile-Thr-Gln-Tyr-Glu-Arg-Glu-Ser-Gln-Ala-Tyr-Tyr- or a part thereof.

4. (presently amended) The antibody preparation according to claim 1, ~~which is a polyclonal or a~~ monoclonal ~~antibody or a fragment thereof~~ antibodies are present.

5. (presently amended) The antibody preparation according to claim 1, wherein the monoclonal antibodies or fragments thereof are ~~which is~~ linked to ~~a~~ markers.

6. (presently amended) The antibody preparation according to claim 1, which is derived from the hybridoma cell line CNCM I-2476.

7-9 (canceled)

10. (presently amended) A method of producing an antibody preparation according to claim 1 comprising the ~~step~~ steps of:

immunizing an animal with an amount of a peptide having the amino acid sequence

(SEQ ID No: ~~SEQ. ID. No.~~ 1) -Cys-Ile-Thr-Gln-Tyr-Glu-Arg-Glu-Ser-Gln-Ala-Tyr-Tyr-

or

(SEQ ID No: ~~SEQ. ID. No.~~ 2) -Cys-Ile-Thr-Gln-Tyr-Gln-Arg-Glu-Ser-Gln-Ala-Tyr-Tyr-

or a variant thereof, obtained by substituting, deleting or adding one or more amino acids with the proviso that the three dimensional conformation is essentially retained, sufficient to elicit an immune response;

isolating from the immunized animal a splenocyte that produces the antibody; and

fusing the isolated splenocyte with a myeloma cell to form a hybridoma cell that secretes the antibody as a monoclonal antibody preparation.

11 (canceled)

12. (presently amended) A pharmaceutical composition comprising:
an antibody preparation according to claim 1 and
a suitable carrier.

13. (previously amended) A hybridoma cell line capable of producing an antibody according to claim 1.

14. (original) Hybridoma cell line according to claim 13, which is CNCM I-2476.

15-19 (canceled)

20. (previously added) The antibody according to claim 2, wherein the C-terminal part comprises a region of the prion protein ranging from amino acid no. 202 to amino acid no. 214 or to variants obtained by substituting or omitting or adding one or more amino acids without changing the three dimensional configuration thereof.

21-23 (canceled)

24. (previously added) A method of diagnosing Bovine Spongiform Encephalopathy, Creutzfeld-Jacobs-Disease, a variant form of Creutzfeld-Jacobs-Disease or Transmissible Spongiform Encephalopathy related diseases comprising:

contacting a specimen with the antibody of claim 1 or a functional part thereof under immunological reaction conditions; and

detecting any immunological binding between the specimen and the antibody.

25. (previously added) A method of treating Bovine Spongiform Encephalopathy, Creutzfeld-Jacobs-Disease, a variant form of Creutzfeld-Jacobs-Disease or Transmissible Spongiform Encephalopathy related diseases, said method comprising:

producing the antibody according to claim 1; and

injecting said antibody into individuals in an amount effective to provide an immune response to the infectious agent of Bovine Spongiform Encephalopathy, Creutzfeld-Jacobs-Disease, a variant form of Creutzfeld-Jacobs-Disease and Transmissible Spongiform Encephalopathy related diseases.

26. (previously added) A kit for the diagnosis of Bovine Spongiform Encephalopathy, Creutzfeld-Jacobs-Disease, a variant form of Creutzfeld-Jacobs-Disease or Transmissible Spongiform Encephalopathy related diseases, said kit comprising:

an antibody according to claim 1, wherein the antibody binds under immunological conditions to a biological sample of an individual infected with Bovine Spongiform Encephalopathy, Creutzfeld-Jacobs-Disease, a variant form of Creutzfeld-Jacobs-Disease or a Transmissible Spongiform Encephalopathy related disease.

27. (previously added) A kit according to claim 26, further comprising:

a solid support material,

buffers, and

markers for detection of any immunological binding of the antibody in a biological sample.

28-30 (canceled)

31. (previously added) A kit for treating individuals against Bovine Spongiform Encephalopathy, Creutzfeld-Jacobs-Disease, a variant form of Creutzfeld-Jacobs-Disease or Transmissible Spongiform Encephalopathy related diseases, said kit comprising:

an antibody according to claim 1 and

a carrier suitable for administration to an individual.

32. (new) The antibody preparation according to claim 1, wherein the monoclonal antibodies or fragments thereof are raised against a peptide having the amino acid sequence of SEQ ID No: 1 or SEQ ID No: 2.